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SUBJECT: PUTIN CALLS FOR INTERNATIONAL STANDARDS TO
REPLACE RESTRICTIVE SPS TRADE MEASURES

REF: A) Moscow 001556 B) Moscow 001206 C) Moscow 001187 D)
Moscow 1150

¶1. (U) SUMMARY: Prime Minister Vladimir Putin issued Resolution #761, which calls for Russian restrictive, non-science-based sanitary/phytosanitary (SPS) measures to be harmonized with international norms. However, the details of Resolution #716's implementation remain unclear as officials in the Ministry of Health and Social Development (MinHealth) and Ministry of Agriculture (MinAg) await more specific orders and certain GOR Commissions are already in the midst of resetting such overarching SPS policy. END SUMMARY.

¶2. (U) Resolution #761 calls for harmonizing Russian sanitary and epidemiological requirements, veterinary, sanitary and phytosanitary measures with international standards where Russian standards are more restrictive and are not science-based. According to the Resolution, MinHealth and MinAg should establish procedures to compare Russian and international standards before 2010. The evaluation will take into consideration the requests of interested entities, including foreign governments. At this time, it is not clear if requests responding to Resolution #761 are currently being accepted or what deadline would be set for the implementation of international standards. Instead, Resolution #761 appears only to oblige the respective Ministries to set a roadmap for comparison of standards by January 1, 2010, while the actual comparison of standards and eventual adoption of international norms would likely take place sometime thereafter.

13. (U) Resolution #761 is online at
. An unofficial embassy

translation of Resolution #761 follows.

BEGIN TEXT:

Resolution of September 28, 2009, #761 "On ensuring harmonization of
Russian sanitary-epidemiological requirements, veterinary-sanitary
and
phytosanitary measures with international standards".

With the purpose of improvement of the system of legal regulation in
the
area of protection of life and health of humans, animals and plants,
further
harmonization with international standards of sanitary and
epidemiological
requirements, veterinary, sanitary and phytosanitary measures in
force in
Russia with international standards, the Government of the Russian
Federation stipulates:

Determine that legal acts, establishing sanitary-epidemiological
requirements, veterinary-sanitary and phytosanitary measures are
subject to
expertise for their compliance with the standards, recommendations
and
other documents of international organizations, including the World
Health
Organization, Codex Alimentarius Commission, World Organization for
Animal Health (OIE), and corresponding international and regional
organizations, which are acting within the framework of the
International
Plant Protection Convention (hereafter referred to as expert
evaluation and
international standards)

Legal acts establishing sanitary and epidemiological requirements,
veterinary, sanitary and phytosanitary measures, which, as a result
of the
expert evaluation have restrictive character compared to
international
standards, without scientific basis of such restriction or risk
level for life or
health of humans, animals and plants, are subject to be brought in
compliance with international standards.

The Ministry of Health and Social Development of the Russian
Federation
and the Ministry of Agriculture of the Russian Federation shall:

--within 3 months from the effective date of this Resolution develop
and
approve the order of carrying out an expert evaluation within their
competence;

--ensure the carrying out of the expert evaluation is on the basis
of written
requests from interested entities, including the governments of
foreign
countries, with their possible participation in its implementation
or upon
their initiative. Within 30 days from the receipt of a written
request, the
corresponding federal executive entity shall acknowledge the receipt
of the
request to the requesting party.

The present Resolution becomes effective of the date of its official
publication.

Chairman of the Government of the Russian Federation

V.Putin

END TEXT.

14. (U) Mid-management authorities in the MinAg and MinHealth did not appear fully aware of what changes Resolution #716 would bring when Agricultural Specialists contacted them Friday, October 2. The MinAg officials were unaware of the Resolution's existence but insisted that Minister Skrynnik will likely appoint the Russian Federal Veterinary and Phytosanitary Surveillance Service (VPSS) as the MinAg point of contact. The MinHealth officials were aware of the Resolution but insisted that no changes were likely to result from it unless additional budget allocations were made to MinHealth for such a special review. Instead, MinHealth officials insisted they already accept applications from the scientific community and interested industries to establish such norms addressed in Resolution #761 via the Commission for the Development of Federal Sanitary-epidemiological Norms, located within MinHealth.

15. (U) Meanwhile, the Interagency Expert Commission, led by the MinAg and including the MinHealth, is currently considering a draft Federal Law regarding the Special Technical Regulation "On the Requirements for Poultry, Poultry Meat, Processed Poultry Products, their Production Process, and Handling." The USG, U.S. industry, and Russian industry have argued against measures contained within this draft document since the current version would actually increase restrictions on trade and local production practices rather than standardize them with international norms and current production practices in both Russia and the United States. We know that the Russian National Meat Association has formally objected to the draft Federal Law, pointing out that these are contrary to scientific, international norms and are in many cases not realistic for Russian producers. The draft Federal Law is online at .

16. (SBU) On September 29, MinAg specifically called upon the Russian poultry and meat associations and select companies to provide comments on specific points of tension within the draft Federal Law, including those points related to proposed bans on chlorine-treated poultry, restrictions on water content, and restrictions on using frozen poultry for processing. One recipient of this letter was U.S. joint-venture Eleanor Broiler.

16. (SBU) Comment: We like the message Putin sent with Resolution #761; however, we are concerned if these comments will truly transcend into real policy change. Such movement to adopt international standards on SPS issues would move Russia closer to WTO accession as well as deliver a much more favorable, predictable, and science-based trading environment

for U.S. meat and poultry products. The immediate benefits to current trade could include the successful conclusion of several U.S.-friendly veterinary certificates, including pork; the elimination of current and future trade restrictions related to A/H1N1; a significant reduction in the number of banned U.S. meat and poultry facilities; and the dismissal of the chlorine ban which is set to become effective January 1, 2010. However, we are concerned Russia will likely hide behind caveats and creative interpretation to maintain many of these restrictive SPS trade policy measures. As a result, we expect Resolution #761 will only provide a political cover to finally dismiss both trade linkages to A/H1N1 and the threatened chlorine ban, which would otherwise stop all U.S. poultry trade on January 1, 2010.

BEYRLE